



General Assembly

January Session, 2011

***Raised Bill No. 1098***

LCO No. 4059

\*04059\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT REGULATING THE SALE AND POSSESSION OF SYNTHETIC MARIJUANA AND SALVIA DIVINORUM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21a-243 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2011*):

3 (a) The Commissioner of Consumer Protection shall adopt  
4 regulations for the efficient enforcement and operation of sections 21a-  
5 244 to 21a-282, inclusive.

6 (b) The Commissioner of Consumer Protection may, so far as may  
7 be consistent with [said] sections 21a-244 to 21a-282, inclusive, adopt  
8 the regulations existing under the federal Controlled Substances Act  
9 and pertinent regulations existing under the federal food and drug  
10 laws and conform regulations adopted hereunder with those existing  
11 under the federal Controlled Substances Act and federal food and  
12 drug laws.

13 (c) The Commissioner of Consumer Protection acting upon the  
14 advice of the Commission of Pharmacy, may by regulation designate,

15 after investigation, as a controlled substance, a substance or chemical  
16 composition containing any quantity of a substance which has been  
17 found to have a stimulant, depressant or hallucinogenic effect upon  
18 the higher functions of the central nervous system and having a  
19 tendency to promote abuse or physiological or psychological  
20 dependence or both. Such substances are classifiable as amphetamine-  
21 type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic,  
22 morphine-type and other stimulant and depressant substances, and  
23 specifically exclude alcohol, caffeine and nicotine. Substances which  
24 are designated as controlled substances shall be classified in schedules  
25 I to V by regulations adopted pursuant to subsection (a) of this section.

26 (d) The Commissioner of Consumer Protection may by regulation  
27 change the schedule in which a substance classified as a controlled  
28 substance in schedules I to V of the controlled substance scheduling  
29 regulations is placed. On or before December 15, 1986, and annually  
30 thereafter, the commissioner shall submit a list of all such schedule  
31 changes to the chairmen and ranking members of the joint standing  
32 committee of the General Assembly having cognizance of matters  
33 relating to public health.

34 (e) A new or amended regulation under this chapter shall be  
35 adopted in accordance with the provisions of chapter 54.

36 (f) In the event of any inconsistency between the contents of  
37 schedules I, II, III, IV and V of the controlled substance scheduling  
38 regulations and schedules I, II, III, IV and V of the federal Controlled  
39 Substances Act, as amended, the provisions of the federal act shall  
40 prevail, except when the provisions of the Connecticut controlled  
41 substance scheduling regulations place a controlled substance in a  
42 schedule with a higher numerical designation, schedule I being the  
43 highest designation.

44 (g) When a drug that is not a controlled substance in schedule I, II,  
45 III, IV or V, as designated in the Connecticut controlled substance  
46 scheduling regulations, is designated to be a controlled substance

47 under the federal Controlled Substances Act, such drug shall be  
48 considered to be controlled at the state level in the same numerical  
49 schedule for a period of two hundred forty days from the effective date  
50 of the federal classification.

51 (h) The Commissioner of Consumer Protection shall, by regulation  
52 adopted pursuant this section, designate the following substances, by  
53 whatever official, common, usual, chemical or trade name designation,  
54 as controlled substances and classify each such substance in the  
55 appropriate schedule:

56 (1) 1-pentyl-3-(1-naphthoyl)indole (IWH-018);

57 (2) 1-butyl-3-(1-naphthoyl)indole (IWH-073);

58 (3) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (IWH-200);

59 (4) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol  
60 (CP-47,497);

61 (5) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol  
62 (cannabicyclohexanol; CP-47,497 C8 homologue);

63 (6) Salvia divinorum; and

64 (7) Salvinorum A.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2011	21a-243

**Statement of Purpose:**

To provide for the designation of certain synthetic cannabinoids and the herb salvia divinorum, and its active constituent salvinorum A, as controlled substances.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*